

ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

601 GATEWAY BOULEVARD, SUITE 1000
SOUTH SAN FRANCISCO, CA 94080-7037

TEL: (650) 589-1660
FAX: (650) 589-5062

ssannadan@adamsbroadwell.com

SACRAMENTO OFFICE

520 CAPITOL MALL, SUITE 350
SACRAMENTO, CA 95814-4721

TEL: (916) 444-6201
FAX: (916) 444-6209

ARIANA ABEDIFARD
KEVIN T. CARMICHAEL
CHRISTINA M. CARO
THOMAS A. ENSLOW
KELILAH D. FEDERMAN
RICHARD M. FRANCO
ANDREW J. GRAF
TANYA A. GULESSERIAN
DARION N. JOHNSTON
RACHAEL E. KOSS
AIDAN P. MARSHALL
TARA C. RENGIFO

Of Counsel

MARC D. JOSEPH
DANIEL L. CARDOZO

August 17, 2023

VIA EMAIL AND U.S. MAIL

Michael Alpern, Director of Public Affairs
U.S. EPA Pacific Southwest, Region 9
75 Hawthorne St.
San Francisco, CA 94105
Email: alpern.michael@epa.gov;
r9.info@epa.gov

VIA EMAIL ONLY

Timothy R. Epp, FOIA Public Liaison
Email: hq.foia@epa.gov

Via Online Submission

<https://www.foia.gov/request/agency-component/84661f42-101a-4f2f-93bd-36edfb73d455/>

Re: Freedom of Information Act Request – Morton Bay Geothermal Project

Dear Mr. Alpern and Mr. Epp:

We are writing on behalf of California Unions for Reliable Energy (“CURE”) to request a copy of any and all public records related to the Morton Bay Geothermal Project (“Project”), proposed by Morton Bay Geothermal LLC, an indirect, wholly owned subsidiary of BHE Renewables LLC (“Applicant”). This request is made pursuant to the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”).

The Project includes construction of a renewable geothermal power plant and related facilities within the Salton Sea Known Geothermal Resource Area near Calipatria, Imperial County, California. The power plant will be located on approximately 63 acres of a 160-acre parcel (Assessor Parcel Number 020-100-007) within the unincorporated area of Imperial County, California, and is bounded by McDonald Road to the north, Davis Road to the east, Schrimpf Road to the south, and the Salton Sea to the immediate west. The power plant’s maximum continuous rating is approximately 157 megawatts (MW) gross output, with an expected net output of approximately 140 MW. The related facilities include a generation tie-line, fluid and steam handling facilities, solids handling system, Class II Surface

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Impoundment, service water pond, stormwater retention basin, and process fluid injection pumps, in addition to geothermal production and injection wells and pipelines.

This request includes, but is not limited to, copies of all applications, reports, notices, agreements, approvals, resolutions, analyses, permits, studies, comments, memorandums, notes, writings, recordings, internal or interagency communications, communications with consultants, and other correspondence—including emails by and between the United States Environmental Protection Agency (“U.S. EPA”), U.S. EPA Offices, the Applicant, the County of Imperial—and any other materials related to the Project. Please note that this request for copies excludes those records that are available through the Internet. If the U.S. EPA identifies such documents, we request that the U.S. EPA provide us with the links to responsive records that are available on the Internet.

CURE seeks this information for the purpose of evaluating the Project’s environmental and public health effects to inform public review of the Project pursuant to state and federal law. The requested information advances the requestor’s interest in advocating for sustainable development, and does not provide a competitive advantage. Disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government, supports public oversight of agency operations, including the effects of agency policy on public health and safety, and is not primarily in the commercial interest of the requester.¹

We will pay the fees applicable to the processing of this request up to \$200.² However, please contact me at (650) 589-1660 with a cost estimate before copying/scanning the materials.

Please use the following contact information for all correspondence:

U.S. Mail

Sheila Sannadan
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080-7037

Email

ssannadan@adamsbroadwell.com

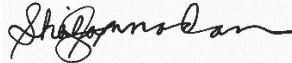
¹ 5 U.S.C. § 552(a)(4)(A)(iii); *McClellan Ecological Seepage Situation v. Carlucci*, 835 F.2d 1282, 1284-1286 (9th. Cir. 1987); *Friends of the Coast Fork v. U.S. Dept. of Interior*, 110 F.3d 53, 55 (9th Cir. 1997).

² 5 U.S.C. §552(a)(4)(A).

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If you have any questions, please call me at (650) 589-1660 or email me at ssannadan@adamsbroadwell.com. Thank you for your assistance with this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Sheila M. Sannadan", is written over a light gray rectangular background.

Sheila M. Sannadan
Legal Assistant

SMS:acp